

Chapter II

INTRODUCTION

TABLE OF CONTENTS

Section I Purpose

Section II Procedure

Section II Process

Appendix

Section I

PURPOSE

Many governmental and non-governmental entities are responsible for ensuring environmental protection throughout the nation. The majority of environmental programs are carried out through the shared responsibility of the Environmental Protection Agency (EPA) and its non-Federal partners.

In Region 7, EPA has delegated a large share of its authority to the states. After delegation, EPA maintains responsibility for delegated programs and continues to be accountable for progress toward meeting national environmental goals and for ensuring that Federal statutes are fulfilled. EPA is responsible to ensure the fair and equitable application and enforcement of Federal environmental laws, regulations, and standards, and to provide its partners with the necessary assistance, tools, methods, and back-up support to solve environmental problems.

In delegated programs, the goal of oversight is to strengthen the relationship between EPA and its partners to ensure that the national environmental goals expressed in the EPA Strategic Plan are attained. Effective oversight helps to ensure adequate environmental protection through continued development and enforcement of national standards and the use of direct enforcement action against polluters as necessary to reinforce the action and authority of EPA's partners. Oversight also helps to enhance a partner's capabilities to administer sound environmental protection programs through increased communication and a combination of support and evaluation activities. Finally, Federal oversight seeks to describe and analyze the status of national and regional environmental quality, through continued collection and distribution of information from governmental agencies and other major sources. EPA is fully committed to the success of its partners' environmental programs. A clear expectation for program performance is a crucial factor in achieving an effective partnership.

Fostering quality delegated programs is not a static activity, and will vary across the different delegated entities.

Conditions change, and program activities must change to respond to new environmental problems and challenges. Consequently, the methods used to oversee delegated programs must change over time, depending on the maturity and complexity of national programs and on the capability of EPA's delegated partners.

Section II

PROCESS

The 1984 "EPA Policy on Oversight of Delegated Environmental Programs" provides the foundation for structuring a Program Review. Starting with this policy, EPA Region 7 staff developed a *Program Review Protocol* document, which provides the justification and framework for conducting program reviews in the Air, RCRA, and Toxics Division (ARTD) of Region 7.

The protocol establishes a minimum frequency for conducting program reviews within the division, defines the scope of full and partial reviews within each program, and provides a consistent basis for determining which type of review is appropriate. The protocol also provides a way to document the rationale for determining whether or not any program review effort is needed in a particular program. In addition, the protocol includes a summary of the regulatory requirements for the major programs within the ARTD, a discussion of oversight policy, and a differentiation between the requirements of grant close-out reviews and program reviews.

The ARTD staff subsequently issued a second document, *Operating Principles for Conducting Program Reviews*. This is primarily an internal planning document which lays out the process for providing consistent internal procedures for Program Reviews.

Finally, EPA staff developed the *Program Review Criteria Notebook*, which was used as the basis for the Missouri Air Program review. This notebook contains the criteria and checklist for each of the program areas, i.e., modeling, monitoring, permitting, enforcement, etc., being reviewed. This notebook was provided to all of Region 7's state partners in January, 2000.

The ARTD staff has previously conducted partial program reviews in other Region 7 states. For example, the New Source Review and Title V permitting programs have been reviewed in three states, and the air permitting and compliance programs have been reviewed in two states. Two local agency programs have also been reviewed.

As stated in the Program Review Protocol, it is Region 7's goal to conduct a program review of each state once every four years. The Missouri Department of Natural Resources (MDNR) Air Pollution Control Program (APCP) director consented to be the

first Region 7 state to be subject to this comprehensive review, which covers all aspects of the MDNR air program.

Section III

PROCEDURE

The EPA team leader for the Program Review coordinated with the MDNR primary contact person in March, 2000, to select a mutually agreeable date for the review. Considerable lead time was necessary considering the number of staff involved in both agencies. The week of July 10, 2000 was selected as the time for the on-site visit by EPA staff. In early May, 2000, EPA provided the MDNR a 'kick-off' letter (see Appendix) which contained a detailed schedule for the week of July 10, provided certain checklist information, and listed a schedule for completion of the draft and final reports. As stated in the *Operating Principles* document, EPA's goal is to provide the state a final report within 90 days of completion of the on-site review.

EPA staff initiated the on-site review by conducting an Entrance Conference (see Appendix - Attendees List). This meeting provided the opportunity for EPA to discuss its schedule for the week, identified MDNR staff EPA needed to interview, provided the state staff the opportunity to present preliminary questions to EPA, covered the use of APCP facilities and equipment, and set a time for the Exit Conference.

EPA staff was on-site for three full days. The Exit Conference consisted of EPA staff providing a verbal summary of their results. APCP staff provided additional information as necessary for clarification, as well as a few summary closing remarks (see Appendix - Attendees List).

EPA staff received the full cooperation and assistance of the APCP staff throughout the on-site visit. Supervisors and individual staff members made themselves available as necessary to answer questions or to otherwise assist the EPA staff. EPA fully appreciates this assistance and spirit of cooperation. At both the entrance and exit conferences the APCP staff made the point that their goal was to provide the highest level of environmental protection to the resources and citizens of Missouri, and that any recommendations that EPA might have as a result of the program review would be welcomed.

APPENDIX - Introduction

EPA Kick-Off Letter, May 1, 2000

Kick-Off Meeting Attendees List

Exit Conference Attendees List